



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

Tentative Notice of Action

*Promoting the wise use of land
Helping build great communities*

MEETING DATE March 20, 2015 LOCAL EFFECTIVE DATE April 3, 2015 FINAL EFFECTIVE DATE April 3, 2015	CONTACT/PHONE Megan Martin (805) 781-4163 mamartin@co.slo.ca.us	APPLICANT Gary and Susan Hemme	FILE NO. DRC2014-00058
SUBJECT A request by Gary and Susan Hemme for a Minor Use Permit/Coastal Development permit to allow for a 618 square foot addition to an existing 1,689 square foot single family home and 573 square foot outdoor deck addition. The residence is two-story and will be a maximum height of 23 feet. The proposed project is within the Residential Single Family land use category at 1835 Orville Avenue, approximately 360 feet southeast of Burton Drive, within the community of Cambria in the North Coast Planning Area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2014-00058 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on January 27, 2015 (ED14-160).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Coastal Appealable Zone, Sensitive Resource Area – Terrestrial Habitat – Monterey Pine Forest	ASSESSOR PARCEL NUMBER 024-152-003, 024-152-017, 024-152-023	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: North Coast Planning Area – Cambria Urban Area Standards; Monterey Pine Forest Habitat (SRA)(TH), Site Review, Landscaping, Residential Single Family, and Deck Size Limitations. <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Section 23.07.120 – Local Coastal Program Area Section 23.07.176 – Terrestrial Habitat Protection <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on April 3, 2015, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Single family residence			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Single Family / Single Family Dwelling East: Residential Single Family / Single Family Dwelling South: Residential Single Family / Single Family Dwelling West: Residential Single Family / Single Family Dwelling			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, Cambria Community Services District, California Coastal Commission, and North Coast Advisory Council			
TOPOGRAPHY: Nearly level to gently sloping		VEGETATION: Non-native grasses, Monterey Pine Forest	

PROPOSED SERVICES: Water supply: Community system (Cambria CSD) Sewage Disposal: Community sewage (Cambria CSD) Fire Protection: Cambria Fire	ACCEPTANCE DATE: January 27, 2015
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242	

DISCUSSION

PROJECT HISTORY:

The two-story primary residence on the property was built in 1972. The residence is approximately 1,689 square feet and has had minor structural improvements including a 300 square foot solid deck and a 368 square foot permeable deck. A voluntary merger (SUB2014-00024) between the three parcels was recorded December 2014. The area of the lot after the merger is approximately 12,070 square feet.

PROJECT DESCRIPTION:

The proposed project includes a request to construct a 618 square foot addition to the existing single family residence and an addition of 573 square feet of permeable deck space to the existing residence. The 618 square foot addition will include expansion of the kitchen and living area on the lower level and expansion of the master bedroom on the upper level. No new water fixtures are proposed. The new deck will be located at the rear of the residence and would be accessed via exterior stairs as well as from the upper level. An existing spa will be relocated to the western portion of the proposed deck.

The project site is located within the Monterey pine forest Terrestrial Habitat combining designation as identified in the Cambria Urban Area Standards and Official Maps (Part III) of the Coastal Zone Land Use Ordinance. As setforth in the Public Resources Code Section 30603(a), and the Coastal Zone Land Use Ordinance, development located in a sensitive coastal resource area (e.g. Terrestrial Habitat) is appealable to the California Coastal Commission (Section 23.01.043(c)). Where a project is appealable to the California Coastal Commission, any use normally required by the Coastal Zone Land Use Ordinance to have Plot Plan approval (a new deck and second floor master bedroom addition would normally be required to obtain Plot Plan approval,) shall instead require Minor Use Permit approval. The proposed project as such, requires Minor Use Permit approval.

PLANNING AREA STANDARDS:

Cambria Urban Area Standards

Monterey Pine Forest Habitat (SRA)(TH). The purpose of these standards is to minimize tree removal and avoid impacts to the sensitive Monterey pine forest habitat. All development within Monterey pine forest (TH) shall include a “project limit area” to avoid Monterey pine forest impacts to the maximum extent feasible, shall not remove native vegetation outside the “project limit area”, identify all Monterey pine trees that are six inches or more in diameter 4.5 feet above ground, and implement construction practices to protect Monterey pines and significant understory vegetation.

Staff Response: *The project is located within the Monterey pine forest habitat combining designation. Development of the deck and addition to the single family residence will result in the removal of one (1) Monterey pine. The project, as conditioned, will be required to plant four (4) Monterey pine trees on the property. The proposed addition to the single family residence will not impact any native vegetation or Monterey pine trees. No other native vegetation or significant understory will be impacted within or outside the "project limit area."*

Site Review. Based on the results of a site review, all projects determined to have the potential to adversely impact a sensitive resource shall require a biologic assessment report prepared in accordance with Coastal Zone Land Use Ordinance section 23.07.170.

Staff Response: *Following site review, staff determined that because the project site is previously developed, new construction will occur in an area devoid of native vegetation, and will remove only one (1) Monterey pine and replant at the required ratio of 4:1, a biologic assessment report is not required.*

Landscaping. All areas of the site disturbed by project construction shall be revegetated with native, drought and fire resistant species that are compatible with the habitat values of the surrounding forest.

Staff Response: *The area of disturbance is not currently landscaped and consists mainly of non-native grasses. One Monterey pine will be removed as a result of the project and will be required to be replaced at a 4:1 ratio. The four (4) Monterey pines will be planted on the project site. The applicant is not proposing any other landscaping at this time.*

Residential Single Family

The following standards apply to all land within the residential single-family land use category.

Height. The maximum height in this area is 28 feet above natural grade.

Staff Response: *The proposed project complies with this standard. The proposed project is within the Lodge Hill Neighborhood and is not visible from Highway One; therefore, the maximum height allowable for the proposed development is 28 feet above natural grade. The proposed project will result in a height of 23 feet above natural grade.*

Building Size. Development in the Single Family Residential category in areas subdivided into 25-foot lots (such as Lodge Hill, Happy Hill, Park Hill and Pine Knolls) shall comply with the footprint and gross structural area requirements shown on Table 7-1.

Staff Response: *The lot size is approximately 12,070 square feet and is categorized as a "forested" lot (contains one or more native Monterey Pine trees). Based on those characteristics, the maximum footprint and gross structural area are calculated as follows:*

Table 1: Building Size Limitations		
	<i>Footprint (sq. ft.)</i>	<i>GSA (sq. ft.)</i>
<i>Maximum allowable</i>	<i>3,680 (1,600/5,250*)xArea**</i>	<i>5,520 (2,400/5,250)xArea</i>
<i>Proposed project</i>	<i>1,443 sq. ft.</i>	<i>2,793 sq. ft.</i>

* Calculations based on Building Size restrictions Chapter 7 of the North Coast Area Plan p. 7-60 to 7-61 Table C.

** Project site area = 12,070 sq. ft.

The proposed footprint and gross structural area (GSA) for the new deck and addition are below the maximum allowable footprint and GSA and therefore comply with the building size standards of the residential single family land use category.

Deck Size Limitations. Exterior decks shall be located to avoid removal of trees. Solid exterior decks shall be limited to 10 percent of the permitted maximum footprint, while decks of permeable construction (e.g., open wood slats) shall be limited to 30 percent of permitted Maximum Footprint.

Staff Response: The proposed project complies with this standard. The total allowable footprint for the project site is 3,680 square feet (refer to Table 1: Building Size Limitations). The proposed deck is located to avoid removal of trees but will result in the removal of one (1) Monterey pine. The deck will be made of permeable construction (e.g., open wood slats) and will not exceed 30 percent of the permitted maximum footprint.

Table 1: Deck Size Limitations

Existing Footprint (sf)	Allowable Footprint (solid)(sf)	Allowable Footprint (permeable)(sf)	Proposed Footprint (permeable)(sf)	Total (solid:permeable)(sf)
1,134	368 (10% of 3,680)	1,104 (30% of 3,680)	573	300:941

Setbacks. Front and Rear Setbacks. For all lots less than one acre in size, front and rear setbacks must total 25 feet, with a minimum of 10 feet in the front and 10 feet in the rear per the North Coast Area Plan.

Staff Response: The project site is less than one acre in size. The proposed project complies with the front and rear setback requirements. The front setback is 30 feet from the property line. With the new deck addition, the rear setback is approximately 78 feet from the property line.

LAND USE ORDINANCE STANDARDS:

Section 23.04.110 – Side Setbacks. Within urban and village areas. 10 percent of the lot width, to a maximum of five feet on sites less than one acre in net area, but not less than three feet.

Staff Response: The proposed project complies with this standard. Both side setbacks exceed the maximum of five feet on either side at approximately 6'-4" and 45 feet, respectively.

Section 23.07.080 – Geologic Study Area (GSA)

The proposed project is within the GSA combining designation as defined and applied by the Official Maps (Part III) of the Land Use Element.

Staff Response: The standards of Sections 23.07.084 through 23.08.086 do not apply to the project as it involves alterations or additions to an existing structure, the value of which does not exceed 50% of the assessed value of the structure in any 12-month period.

Section 23.07.176 – Terrestrial Habitat Protection

The provisions of this section are intended to preserve and protect rare and endangered species of terrestrial plants and animals by preserving their habitats.

Staff Response: The proposed project is located within the Monterey pine forest terrestrial habitat combining designation. The proposed project has established a "project limit area" as required by the North Coast Area Plan to illustrate previously disturbed areas, proposed site disturbance, minimize the area of site disturbance, and identify the impacts to onsite vegetation. The area to be disturbed consists of existing deck and exterior stairwell and non-native grasses. Development of the proposed project will result in the removal of one (1) Monterey pine. The applicant has agreed to replace in kind and at a 4:1 ratio, four (4) Monterey pines on the project site.

COASTAL PLAN POLICIES:

Shoreline Access: N/A

Recreation and Visitor Serving: N/A

Energy and Industrial Development: N/A

Commercial Fishing, Recreational Boating and Port Facilities: N/A

Environmentally Sensitive Habitats: ☒ Policy No(s): 1, 2, 29, 30

Agriculture: N/A

Public Works: ☒ Policy No(s): 1

Coastal Watersheds: N/A

Visual and Scenic Resources: ☒ Policy No(s): 7

Hazards: N/A

Archeology: N/A

Air Quality: N/A

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COASTAL PLAN POLICY DISCUSSION

Sensitive Resource Area

Policy 1, 2: Environmentally sensitive habitat areas are settings in which plant or animal life (or their habitats) are rare or especially valuable due to their special role in an ecosystem. These policies seek to minimize significant disruption to sensitive habitats and their resources as well as demonstrate there will be no significant impact on sensitive habitats and that proposed development will be consistent with the biological continuance of the habitat.

Staff Response: The proposed project is within the Monterey pine forest Terrestrial Habitat combining designation. Development will occur on a previously developed site and will not significantly disrupt sensitive habitats or its resources. The applicant is proposing to remove one (1) Monterey pine and is required by the North Coast Area Plan to replace it at a 4:1 ratio. The applicant has agreed to replant four (4) Monterey pines on the subject site.

Terrestrial Environment

Policy 29, 30: Protection of Terrestrial Habitat and Protection of Native Vegetation. These policies emphasize protection on the entire ecological community to include native trees and plant cover.

Staff Response: The proposed project is within the Monterey pine forest terrestrial habitat. There are Monterey pines on the property and one Monterey pine will be removed due to development of the proposed project. As a requirement of the North Coast Planning Area, the applicant is required to replace any Monterey pine's at a 4:1 ratio, if removed. The applicant has agreed to plant four (4) Monterey pines on their property. To minimize impact, and as a requirement of the Cambria Urban Area Standards, a "project limit area" was placed around the extent of development to avoid impacts to other trees.

Public Works

Policy 1: Availability of Service Capacity. New development (including division of land) shall demonstrate that adequate public or private service capacities are available to serve the proposed development. Priority shall be given to infilling within existing subdivided areas. Prior to permitting all new development, a finding shall be made that there are sufficient services to serve the proposed development given the already outstanding commitment to existing lots within the urban service line for which services will be needed consistent with the Resource Management System where applicable.

Staff Response: The proposed project complies with this policy. The proposed remodel will not add any new water fixtures therefore will not increase its service to the existing single family residence. A confirmation of water and sewer availability for the remodel of the existing single family residence with existing and active service was issued by the Cambria Community Services District on December 1, 2014.

Visual Resources

Policy 7: Preservation of Trees and Native Vegetation. The location and design of new development shall minimize the need for tree removal.

Staff Response: Development will be within the identified "project limit area" and will result in the removal of one Monterey pine tree. The applicant has agreed to plant four (4) Monterey pine trees to replace the one removed. The project will also result in the removal of scattered grasses but there is no other naturally occurring native vegetation onsite.

COMMUNITY ADVISORY GROUP COMMENTS:

North Coast Advisory Council met on January 21, 2015 and recommended approval of the proposed project with no new water fixtures, plant eight (8) Monterey Pines to replace the two (2) to be removed, drainage issues resolved, and grading/construction limited to the dry season.

Staff Response: The proposed project does not include any new water fixtures. The applicant, following the meeting on January 21, 2015, revised the project description to only remove one (1) Monterey Pine and agreed to replant at a 4:1 ratio. Four (4) new Monterey Pines will be

planted on the property. The project site is within a drainage review area. A drainage plan and an erosion and sedimentation control plan are required at the time of building permit submittal. The proposed project is not subject to a grading permit and therefore not subject to the grading/construction limitations standards of the Coastal Zone Land Use Ordinance. If construction is to occur during the rainy season, the project will be required to implement the erosion and sedimentation control plan best management practices.

AGENCY REVIEW:

Public Works – “There are no significant concerns, problems or impacts relative to the project.” (Tim Tomlinson, December 11, 2014). Recommended project conditions of approval have been included in Exhibit B – Conditions of Approval.

Building Division – Applicable Building Division comments are incorporated into Exhibit B – Conditions of Approval.

Cambria Community Services District – Confirmation of Water & Sewer Availability, December 1, 2014.

Cambria Fire Department – Fire Plan Review received December 4, 2014.

California Coastal Commission – No response received.

LEGAL LOT STATUS:

The one (1) parcel was legally created by recordation of a Notice of Voluntary Merger, M14-0095, Parcel 1, (Document #2014-049514) at a time when that was a legal method of creating parcels.

Staff report prepared by Megan Martin and reviewed by Ryan Hostetter and Steve McMasters.